

# The Gazette of India



PUBLISHED BY AUTHORITY

**No. 9] NEW DELHI, SATURDAY, MARCH 1, 1952****NOTICE**

The undermentioned Gazettes of India Extraordinary were published during the week ending the 20th February 1952 :—

Issue No.	No. and Date	Issued by	Subject
35	S. R. O. 258, dated the 11th February 1952.	Ministry of Labour.	Award of the Industrial Tribunal (Punjab National Bank Dispute) New Delhi.
36	S. R. O. 259, dated the 4th February 1952.	Ditto.	Award of the Central Government Industrial Tribunal at Calcutta.
37	S. R. O. 282, dated the 13th February 1952.	Ministry of Law	Amendment made in S. R. O. 1748, dated 15th November, 1951.
38	S. R. O. 283, dated the 13th February 1952.	Ditto.	The Constitution (Removal of Difficulties) Order No. 11 (Fifth Amendment) Order.
39	S. R. O. 284, dated the 14th February 1952.	Ditto.	Further amendment made in the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951.
40	S. R. O. 285, dated the 18th February 1952.	Ministry of Commerce and Industry.	Further amendments made in S. R. O. 1618, dated 20th October, 1951.
	S. R. O. 286, dated the 18th February 1952.	Ditto.	Further amendments made in S. R. O. 1703, dated 21st November, 1951.
41	S. R. O. 287, dated the 19th February 1952.	Ministry of Finance (Revenue Division).	Exemption of Custom Duty in part of Hossians exported out of India.
42	S. R. O. 288, dated the 19th February 1952.	Ministry of Commerce and Industry.	Further amendment made in S. R. O. 1703, dated 21st November, 1951.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

**PART II—Section 3**

**Statutory Rules and Orders Issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).**

**MINISTRY OF FINANCE (REVENUE DIVISION)****ORDER****STAMPS**

*New Delhi, the 28th February 1952*

**S.R.O. 335.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby remits with effect from the 30th July 1949, the stamp duty chargeable under the said Act on every instrument evidencing transfer of debentures floated by the Baroda Co-operative Land Mortgage Bank, Limited.

[No. 2.]

W. SALDANHA, Under Secy.

**CENTRAL BOARD OF REVENUE****INCOME-TAX**

*New Delhi, the 19th February, 1952*

**S.R.O. 336.**—In pursuance of sub-section (4) of section 5 of the Indian Income-tax, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendment shall be made in the Schedule appended to its Notification No. 32—Income-tax, dated the 9th November, 1946, namely:—

In the said Schedule—

- (i) For the sub-head 'I—Madras & Mysore' the sub-head 'I—Madras' shall be substituted and under this sub-head entries (7) to (16) against Madras, 'A' Range shall be omitted, and
- (ii) For the sub-head 'X—Travancore—Cochin' the sub-head 'X—Mysore, Travancore, Cochin and Coorg' shall be substituted and under this sub-head for the existing Ranges and the Income-tax Circles against them the following Ranges and Income-tax Circles shall be substituted, namely:—

*Trivandrum.*

1. Nagercoil
2. Trivandrum
3. Quilon
4. Kottayam
5. Alleppey

*Ernakulam.*

1. Ernakulam
2. Trichur
3. Irinjalakuda
4. Alwaye
5. Mattancherry
6. Salary Circle, Ernakulam
7. Special Survey Circle, Ernakulam.

*Bangalore.*

1. Bangalore (Urban)
2. Bangalore (Rural)
3. Salary Circle, Bangalore
4. Tumkur
5. Davangere
6. Hassan
7. Mysore
8. Shimoga
9. Kolar.
10. Coorg.

[No. 10.]

*New Delhi, the 25th February 1952*

**S.R.O. 337.**—In pursuance of sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922) and in partial modification of its Notification No. 32-I.T., dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, Patna shall also and the Appellate Assistant Commissioner of Income-tax, A-Range, New Delhi shall not perform his functions in respect of M/s. Nehchal Singh Lakhmir Singh, Contractors, New Delhi for their appeal against the assessment for the year 1946-47.

[No. 12.]

K. B. DEB, Under Secy.

## INCOME-TAX

*New Delhi, the 20th February 1952*

**S.R.O. 338.**—The following draft of certain further amendments to the Indian Income-tax Rules, 1922, which the Central Board of Revenue proposes to make in exercise of the powers conferred by sub-section (1) of section 59 of the Indian Income-tax Act, 1922 (XI of 1922), is published, as required by sub-section (4) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st March 1952. Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the said Board.

*Draft Amendments*

In the said Rules—

1. For the words "British India" wherever they occur, the words "taxable territories" shall be substituted;
2. For the word "provincial" wherever it occurs, the word "state" shall be substituted;
3. In rule 45 for the word "Bengal", the words "West Bengal" shall be substituted.

[No. 11.]

*New Delhi, the 26th February 1952*

**S.R.O. 339.**—In exercise of the powers conferred by sub-section (1) of section 59, of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue direct that the following further amendment shall be made in the Indian Income-tax Rules, 1922, the same having been previously published as required by sub-section (4) of the said section, namely:—

For sub-rule (2) of rule 1 of the said Rules, the following rule shall be substituted, namely:—

"(2) They extend to the whole of India except the state of Jammu and Kashmir."

[No 13.]

S. P. LAHIRI, Secy.

## CUSTOMS

*New Delhi, the 1st March 1952*

**S.R.O. 340.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Land Customs Act, 1924 (XIX of 1924), read with the notification of the Government of India in the late Finance Department (Central Revenues) No. 5944, dated the 13th December, 1924, the Central Board of Revenue hereby directs that the following amendment shall be made in its notification No. 56-Customs, dated the 28th July, 1951, namely:—

In the said notification after the words "Assistant Range Officers", the words "Women Searchers," shall be inserted.

[No. 33.]

D. P. ANAND, Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 20th February 1952*

**S.R.O. 341.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(I)-4(41), dated the 7th September 1950, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"Agricultural Engineer, Government of West Bengal, Calcutta."

[No. SC(A)-4(41).]

**S.R.O. 342.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(I)-4(41), dated the 7th September, 1950, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"District Supplies Officer, District Kangra, Dharamsala."

[No. SC(A)-4(113).]

**S.R.O. 343.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-1(106), dated the 8th March, 1948, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"District Supplies Officer, District Kangra, Dharamsala."

[No. SC(A)-4(113)-A.]

**S.R.O. 344.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-1(699)/48-B, dated the 16th August, 1948, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

"District Supplies Officer, District Kangra, Dharamsala."

[No. SC(A)-4(113)-B.]

**S.R.O. 345.**—In exercise of the powers conferred by sub-clause (a) of Clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-1(530)-D, dated the 26th May, 1948, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“District Supplies Officer, District Kangra, Dharamsala.”

[No. SC(A)-4(113)-C.]

**S.R.O. 346.**—In exercise of the powers conferred by sub-clause (b) of Clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-4(78)-A, dated the 6th January, 1951, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“District Supplies Officer, District Kangra, Dharamsala.”

[No. SC(A)-4(113)-D.]

**S.R.O. 347.**—In exercise of the powers conferred by sub-clause (b) of Clause 2 of the Iron and Steel (Scrap Control) Order, 1943, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(1)-4(78)-C, dated the 6th January 1951, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“District Supplies Officer, District Kangra, Dharamsala.”

[No. SC(A)-4(113)-E.]

N. R. REDDY, Under Secy.

*New Delhi, the 1st March, 1952*

**S.R.O. 348.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendments shall be made in the Cotton Control Order, 1950, namely:—

In the said Order:—

(a) in clause 9, in the ‘exception’, after part (b) the following part shall be inserted, namely—

“(c) to any transaction of sale or purchase of cotton authorised in writing by the licensing authority.”

(b) in clause 5 of Form ‘A’ in the first paragraph after the words and letter “a ‘B’ Class licensee” the words and letter “or a ‘C’ Class licensee” shall be inserted.

[No. 44(25)-CT(A)/51(XIX).]

**S.R.O. 349.**—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government hereby directs that the following further amendment shall be made in the Cotton Textiles (Control) Order, 1948, namely:—

In sub-clause (4A) of clause 28 of the said Order, the following proviso should be added, namely:—

“Provided that nothing in this sub-clause applies to the possession by any person carrying on the business of banking of yarn pledged with him by a dealer or a manufacturer.”

[No. 9(4)-CT(A)/52-3.]

S. A. TECKCHANDANI, Under Secy.

## ORDER

New Delhi, the 22nd February 1952

**S.R.O. 350.**—In exercise of the powers conferred by section 22 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), the Central Government hereby directs that the powers conferred on it by clauses (a) and (b) of section 13 and section 16 of the said Act shall be exercisable also in the State of Orissa by the Government of Orissa.

[No. 2(2)-PC/52.]

P. S. SUNDARAM, Under Secy.

## MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 20th February 1952

**S.R.O. 351.**—Under the provisions of sub-section (2) of Section 4 of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Central Government is pleased to nominate Dr. H. S. Pruthi, Ph.D. & Sc.D. (Cantab), F.N.I., F.R.A.S.B., Plant Protection Adviser to the Government of India, as Chairman of the Advisory Board of the Indian Lac Cess Committee, with immediate effect till the 31st March, 1953, *vice* Dr. S. S. Bhatnagar resigned.

[No. F.4-46/51-Comm.I.]

S. D. UDHRAIN, Under Secy.

## AGRICULTURE

New Delhi, the 23rd February 1952

**S.R.O. 352.**—In pursuance of Section 4 of the Indian Coconut Committee Act 1944 (No. X of 1944), the following persons have been renominated/re-appointed to be members of the Indian Central Coconut Committee with effect from the 1st April, 1952:—

S. No.	Name and Address	Nominating or appointing authority	Interest represented	Clause of sec. 4 of the Act, under which nominated
(1)	(2)	(3)	(4)	(5)
1	Sri P. Balarama Kurup, B. A., Techno Chemical Industries Ltd., Calcutta.	Government of the State of Madras.	Coconut oil industry.	(c)
2	Sri M. C. Thomas, Secretary to Govt. Development Department Trivandrum.	Govt. of the State of Travancore-Cochin.	State Govt.	(d)
3	Sri K. Narayana Menon, Registrar of Co-operative Societies, Travancore Cochin, Trivandrum.	Do.	State Government.	(g)
4	Sri M. Sankara Menon, Director of Agriculture, Travancore-Cochin, Trivandrum.	Do.	Do.	(g)
5	Sri Rajankanta Pramanik, M. L. A., 4/1 Mohan Bagan Lane, Calcutta.	Government of the State of West Bengal.	Growers of coconut in India.	(b)
6	Sri Jagannath Misra, B.A., B.L., M. P., Puri, Orissa.	Government of the State of Orissa.	do	(b)

[No. F.2-17/52-Com.II.]

*New Delhi, the 25th February 1952*

**S.R.O. 353.**—In pursuance of the powers conferred by Clause (b) of Section 4 of the Indian Coconut Committee Act, 1944. (No. X of 1944), the Government of Madras have nominated Sri K. S. Bhandary, Retired District Agricultural Officer, Managalore, to be a member of the Indian Central Coconut Committee with effect from the 1st April, 1952, to represent the growers of coconut in India *vice* Rao Bahadur K. T. Alwa.

[No. F. 2-17/52-Com.II.]

S. K. MIRCHANDANI, Under Secy.

#### AGRICULTURE

*New Delhi, the 23rd February 1952*

**S.R.O. 354.**—Under Section 4(vii) of the Indian Cotton Cess Act, 1923 (XIV of 1923), the Central Government are pleased to renominate Shri R. G. Saraiya as a representative of Cooperative Banking on the Indian Central Cotton Committee, with effect from the 1st April, 1952.

[No. F.1-6/51-C.J.]

S. R. MAINI, Dy. Secy.

#### MINISTRY OF EDUCATION

*New Delhi, the 27th February 1952*

**S.R.O. 355.**—In exercise of the powers conferred by sub-section (2) of section 1 of the Delhi University (Amendment) Act, 1952 (V of 1952), the Central Government appoints the First day of March 1952 as the date on which sections 2 to 25 of the said Act shall come into force.

[No. F. 28-39/51-G.3.]

L. R. SETHI, Dy. Secy.

#### MINISTRY OF REHABILITATION

##### Office of the Custodian of Evacuee's Property

*New Delhi, the 14th February 1952*

**S.R.O. 356.**—In pursuance of Sub-section (2) of Section 19 of the Administration of Evacuee Property Act 1950 (No. XXXI of 1950) it is hereby notified for general information that the person whose name and address is noted below has been declared as an intending evacuee under Sub-section (1) of Section 19 of the said Act.

S. N	Name	Address
18	Shri Anwarul Haq S/O Shri Fazal Haq Optician, Ballimaran, Delhi.	5-B Court Lane, Delhi.

[No. I(9).]

U. S. DIKSHIT,  
Custodian of Evacuee Property.

*New Delhi, the 22nd February 1952.*

**S.R.O. 357.**—In exercise of the powers conferred by section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby

appoints the following persons as competent officers for the purpose of performing the functions assigned to them by or under the said Act in the local areas specified against their names, namely:—

Shri Ishwar Daas Puri,  
Senior Subordinate Judge,  
Delhi.

State of Delhi.

Shri V. N. Bhatia,  
Subordinate Judge,  
Ajmer

State of Ajmer

[No. 82(14)/51-Prop.]

New Delhi, the 25th February 1952

**S.R.O. 358.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government in consultation with the Custodian General hereby appoints for the State of Delhi the Naib Tahsildar (Rehabilitation) under the Deputy Commissioner of Delhi, as Assistant Custodian of Evacuee Property, *ex-officio*.

[No. 41(69)/51-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

### MINISTRY OF RAILWAYS (Railway Board)

New Delhi, the 26th February 1952

**S.R.O. 359.**—In exercise of the powers conferred by Rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908) read with Section 141 of the said Code, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Railways (Railway Board) No. ES50LL2, dated the 18th July, 1950, namely:—

In the Schedule annexed to the said notification in the entry in Column 2 against the entry "Bikaner State Railway" in column 1, for the words "General Manager and Deputy General Manager" the words "General Manager and Chief Engineer" shall be substituted.

[No. ES50LL2.]

P. N. SAXENA,

Director, Establishment, Railway Board.

### MINISTRY OF COMMUNICATIONS

#### POSTS AND TELEGRAPHS

New Delhi, the 25th February 1952

**S.R.O. 360.**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government hereby directs that the following further amendments shall be made in the Indian Telegraph Rules, 1951, namely:—

After rule 429 of the said Rules the following rule shall be inserted, namely:—

"429-A. Transfer fee.—A transfer fee of Rs. 10 shall be charged for every telephone transferred from one subscriber to another when such transfer involves a change in the hiring contract but does not involve the shifting of the telephone; an additional fee of Rs. 5 shall be charged for a plug point or an extra bell.

Provided that in the case of Departmental Exchange connections paid for on an annual basis, connections paid for under the Own Your Telephone Scheme, and casual telephone connections no such transfer fee shall be charged.

[No. PHA. 13-59/51.]

K. V. VENKATACHALAM, Dy. Secy.



## PORTS

New Delhi, the 18th February 1952

**S.R.O. 361.**—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby directs that the following further amendment shall be made in the notification of former Government of Cochin, Public Works Department No 4, dated the 27th August 1941, relating to the fees for overtime work, namely:—

In the said notification under the heading "Fees for overtime work", in Rule 1, in clause 5:—

(a) for the existing item (in), the following item shall be substituted, namely:—

'(iii) *Work on Sundays and Holidays:*

(a) For half working day ((8 A.M. to 12 NOON  
or 1 P.M. to 5 P.M.) or part thereof ...

(b) For half working night (6 P.M. to 10 P.M. and  
from 11 P.M. to 3 A.M.) or part thereof

Rs. 25 per vessel.

(c) For over 4 hours on any one day including recess  
hours ...

Rs. 50 per vessel.

**NOTE.**—The charges mentioned in (a), (b) and (c) will be in addition to the night work charge specified in (h) above."

(b) for Note 5, the following Note shall be substituted, namely:—

"NOTE 5.—For the purpose of these rules, "day" means the period from 6 A.M. on one day to 6 A.M. on the next day, "holiday" means any day declared to be a holiday in this behalf by the Administrative Officer, Cochin Harbour, and "recess hours" means the hours between 3 A.M. and 8 A.M., 12 NOON and 1 P.M., 3 P.M. and 6 P.M., and 10 P.M. and 11 P.M."

[No. 11-P(145)/50.]

New Delhi, the 22nd February 1952

**S.R.O. 362.**—The following draft of an amendment to the Cochin Harbour Craft Rules, 1947, which it is proposed to make in exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 30th March 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

*Draft Amendment*

In sub-rule (3) of rule 29 of the said Rules, for the words "1st December 1942" the words "31st December 1950" shall be substituted.

[No. 6-P.II(83)/51.]

T. S. PARASURAMAN, Dy. Secy.

## MINISTRY OF WORKS, PRODUCTION &amp; SUPPLY

## CENTRAL BOILERS BOARD

New Delhi, the 12th February 1952

**S.R.O. 363.**—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board hereby directs that the following amendment shall be made in the Indian Boiler Regulations, 1950, the

same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

For Regulation 527 of the said Regulations, the following regulation shall be substituted, namely:—

"524. Procedure for Hydraulic test. Every economiser for registration shall be hydraulically tested in the presence of an Inspector to  $1\frac{1}{4}$  times the working pressure. Hydraulic tests of economisers at subsequent examinations shall, when required by the Inspector, be made after the inspection. The test pressure to be applied to economisers at subsequent examinations shall be from  $1\frac{1}{4}$  to  $1\frac{1}{2}$  times the working pressure of the economisers. During the test, all parts externally and in the flues shall be noted for leakage."

[No. M/BL-304(66).]

New Delhi, the 21st February 1952

**S.R.O. 364.**—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board hereby directs that the following amendment shall be made in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

For the table annexed to Clause (a) of regulation 49 of the said Regulations, the following table shall be substituted, namely:—

Test pieces	Ultimate tensile strength tons/sq. in.		Minimum elongation, per cent.			
			On 8 inch.		On 2 inch.	
	Not less than	Not more than	$\frac{1}{4}$ in. thick and over	Less than $\frac{1}{4}$ in. thick	$\frac{1}{4}$ in. thick and over.	Less than $\frac{1}{4}$ in. thick
Strips cut from tubes and tested in their curved condition.	25	33	19	17	25	23
Test lengths taken from finished tubes (ends of tubes to be plugged for grips)	25	33	23	21	..	..

[No. M/BL-304(71).]

New Delhi, the 23rd February 1952

**S.R.O. 365.**—In exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), the Central Boilers Board hereby directs that the following amendment shall be made in the Indian Boiler Regulations, 1950, the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

For Clause (a) of regulation 123 of the said Regulations the following clause shall be substituted, namely:—

"(a) The furnaces of vertical boilers may be constructed in one or more lengthwise sections, each section being rolled from one plate to a full circle. In such cases, the component sections may be jointed circumferentially by electrically butt-welding or riveting. Where welded, they shall be stress relieved."

[No. M/BL-304(58).]

New Delhi, the 25th February 1952

**S.R.O. 366.**—The following draft of certain amendments to the Indian Boiler Regulations, 1950, which the Central Boilers Board propose to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923), is published as required by sub-section (1) of section 31 of the said Act, for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st March, 1952.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Production and Supply, North Block, New Delhi.

*Draft Amendment*

For regulation 4 of the said Regulations the following regulation shall be substituted, namely:—

“Standard Requirements.”

“4. (a) *Material.*—All plates, rivets and bars used in the construction of boilers shall be tested and found to conform with the Regulations hereinafter contained.

(b) *Construction.*—All boilers during construction shall be under the supervision of an Inspecting Officer.

(c) *Certificates etc. under section 14(1) (c) of the Act.*—In advance of or along with an application for registration of a boiler the following certificates and drawings or specifications shall be furnished to the Chief Inspector, namely:—

(i) A certificate in form II.—from an Inspecting Authority certifying that the material was tested and the boiler was built under their supervision. Together with such certificate the Inspecting Authority may furnish a Memorandum of Inspection Book in Form I prepared in the manner prescribed by Regulation 386 in respect of the inspection of the boiler during construction and the hydraulic test applied on completion.—

(ii) A certificate in form III.—of manufacture and test signed by the maker or by a responsible representative of the maker of the boiler containing a description of the boiler, its principal dimensions, particulars of the kind of material used in its construction, the thickness of all plates, the diameter of and method of forming the rivet holes in the shell plates, particulars of any departure from ordinary practice in making the shell such as solid rolling or welding the hydraulic test to which the boiler was subjected, the intended working pressure, the area of heating surface, the maximum continuous evaporative capacity, the year and place of make, and the works number of the boiler.

(iii) A drawing or print.—to a scale, in the case of large boilers of not less than  $\frac{1}{4}$  inch to the foot and, in the case of small boilers of not less than  $1\frac{1}{2}$  inches to the foot, showing the principal dimensions and a longitudinal section and end view of the boiler, and bearing the works number of the boiler and the maker's office stamp. The drawing shall show details of riveting of longitudinal and circumferential seams with pitch of rivets, cross spacing of rivet rows and diameters of rivet holes; the radii of curvature of dished end plates fillets of flanges and corners of bent plates, and where gusset stays are fitted the number and diameter of rivet holes in each gusset stay.

In the case of water tube boilers, the fore-going scales shall apply to the main boiler drums only, but in addition a general arrangement drawing of the boiler to a scale of not less than  $\frac{1}{4}$  inch to the foot shall be provided.

- (iv) A certificate in form IV.—from the steel maker and a certificate from the maker of the plates, rivets or bars, of the nature referred to in Regulation 26 and 27 respectively. The certificate from the maker of the plates, rivets or bars, shall show the charge numbers, the plate or bar numbers and the number and dimensions of the various plates etc., tested, their ultimate tensile breaking strength in tons per square inch of section the percentage of elongation and the length on which measured, the number kind and result of bend or other tests made and the date of tests:

Provided that where an Inspecting Authority furnishes a certificate in Form II together with a Memorandum of Inspection Book in Form I in accordance with sub-regulation (c) (i) the certificates prescribed, under clauses (ii) and (iv) need not be furnished to the Chief Inspector when application is made for registration of the boiler. But should any question arise in respect of the fitness of the boilers for the working pressure approved by the Inspecting Authority within a period of three years from the date of their registration, the owner shall, if requested by the Chief Inspector obtain and furnish the original documents specified in the said clauses.

In the case of steel made and tested by well-known makers in India or other countries the certificate of the makers in Form IV as prescribed in Regulation 26 may be accepted in lieu of a certificate from an Inspecting Authority in so far as it relates to testing of steel as specified in Form II.

The Central Boilers Board shall decide whether, for the purposes of this Regulation the maker is well-known or not.

- (d) *Makers Stamp*.—The boiler shall have stamped upon its front plate in a conspicuous position the following particulars:—

#### MAKER'S NAME

Work's Number..... Year of make.....  
 Tested to..... Lbs..... On.....  
 W. P..... Lbs.....

Inspecting Officer's or  
 Inspecting Authority's official stamp.

NOTE.—Consequential changes will be made in Forms II, III and IV as per details given below:—

- (i) In Form II substitute: Regulation 4(c) (i) for Regulation 4(c).  
 (ii) In Form III substitute: Regulation 4(c) (ii) for Regulation 4(c) (d).  
 (iii) Form IV shall be replaced with the Form IV enclosed herewith.

#### FORM IV

Steel maker's certificate of manufacture and results of Tests  
 Regulation 4(c) (iv).

Designation of Rolling Mill—

We hereby certify that the material described below has been made.....  
 by the..... electric/open hearth, acid/basic process and rolled by us

and has been satisfactorily tested in the presence of your Inspecting Officer, or Test House Manager, in accordance with the Standard tests.

Date of tests 19

Signature or Initials,

Ordered by—

Test House Manager.

Date.....

Order.....Number

Boiler.....Number

### RESULTS OF TESTS

Charge Number	Brand and plate number	Part of Boiler	Size of Blank			No. of pieces	Tensile breaking strength in tons per sq. inch	Elongation in inches per cent.	Bend tests	Remarks
			Length Ft. In.	Breadth Ft. In.	Thickness 32nds					

[No. M/BL-304(65).]

N. P. DUBE.

Secy., Central Boilers Board.

*New Delhi, the 23rd February 1952*

**S.R.O. 367.**—In pursuance of clause (b) of section 2 of the Requisitioning and Acquisition of Immovable Property Ordinance, 1952, (Ordinance III of 1952), the Central Government hereby authorises the Estate Officer, New Delhi, to perform the functions of the competent authority under the said Ordinance for the area within the jurisdiction of the Simla Municipality.

[No. 1605-WII/52.]

N. P. DUBE. Dy. Secy.

*New Delhi, the 25th February 1952*

**S.R.O. 368.**—The following draft of a further amendment to the Explosives Rules, 1940, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884 (IV of 1884), is published, as required by section 18 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 31st March, 1952.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

#### *Draft Amendment*

**In the said Rules—**

1. In Schedule IV, against article No. 3A, for the existing entry in column 4, the following entry shall be substituted, namely:—

“The District Authority in the States of Madras and Travancore-Cochin.”

2. In Form 1-A of Schedule V for the words "For the Province of Madras only," within brackets, at the top, the following words shall be substituted, namely—

"For the States of Madras and Travancore-Cochin".

[No. M-103(1)/52.]

B. B. BAYMASTER, Dy. Secy.

## MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 28th February 1952

**S.R.O. 369.**—WHEREAS the Central Government has civil, criminal and revenue jurisdiction in, and in relation to, the areas specified in the Schedule to this Order, and has had that jurisdiction from a date prior to the first day of April, 1951;

Now, THEREFORE, in exercise of the powers conferred by section 4 of the Foreign Jurisdiction Act, 1947 (XLVII of 1947), and of all other powers enabling it in that behalf, the Central Government is pleased to provide as follows for the administration of justice and the collection of revenue in the said areas:

1. All laws for the time being in force in the Amritsar, Ferozepur and Gurdaspur districts of Punjab shall be, and shall, as from the first day of April, 1951, be deemed to have been, in force, respectively in the Amritsar border areas, Ferozepur border areas and Gurdaspur border areas as specified in the Schedule to this Order:

Provided that in the laws so applied any reference to India or a State shall be construed as a reference to, or as including a reference to, the said areas:

Provided further that for the purpose of facilitating the application of the said laws, any court having jurisdiction in, or in relation to, the said areas may construe the provisions thereof with such alterations not affecting the substance as may be necessary or proper in the circumstances.

2. The Central Government and the Government of Punjab and all officers and authorities subordinate to either Government for the time being exercising executive authority within the said districts of Punjab shall, respectively, exercise the like authority within the said areas.

3. All courts having for the time being jurisdiction in, or in relation to, the said districts of Punjab shall, respectively, have the like jurisdiction in, or in relation to, the said areas.

4. If any question arises as to whether a particular place is within any of the said areas, and, if so, within which of them, a certificate of the Central Government shall be conclusive proof on the point.

5. In this Order, "law" means any Act or Ordinance, and includes any rule, order, notification or bye-law made under an Act or Ordinance.

### THE SCHEDULE

#### Amritsar border areas:

All areas not within the district of Amritsar which lie—

(a) to the south-east of the left bank of the river Ravi and to the north-west of Ajnala Tahsil, or

(b) to the south east of the Upper Bari Doab Canal and to the north-west of the villages Narli (in Patti Tahsil) and Chhina Bidhi Chand (in Tarn Taran Tahsil).

#### Ferozepur border areas:

All areas not within the district of Ferozepur which lie to the south-east of the left bank of the river Sutlej and to the north-west of the district.

#### Gurdaspur border areas:

All areas not within the district of Gurdaspur which lie to the east of the left bank of the river Phag, Tarnah, Ujh or Ravi or south of the left bank of the River Ravi and to the west or as the case may be, north of the district.

[No. 78/Pak.III.]

K. P. S. MENON, Secy.

# MINISTRY OF LABOUR

New Delhi, the 15th February, 1952

**S.E.O. 370.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the dispute between the management of the Gasltand Colliery and their workmen.

## CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

REFERENCE NO. 20 OF 1951.

### PRESENT

Shri S. P. Varma, B.A., Barrister-at-Law, Chairman.

### PARTIES

The management of the Gasltand Colliery

AND

Their workmen.

Appearances:

For the management: Shri S. S. Mukherjee, B.Sc., B.L., Pleader.

For the workmen: Shri Mahesh V. Desai, General Secretary, Koyala Mazdoor Panchayat.

### AWARD

By a notification No. LR.2.(346), dated 10th July, 1951, the Government of India in the Ministry of Labour has referred the dispute between the management of the Gasltand Colliery and their workmen with four specific issues. They are as follows:—

- “1. Reinstatement of Gulab Rout, Baleshwar Pandey, Debnarayan Gope, Ramnarayan Pandey, Siddeshwar Singh, Rabilal Bahadur, Jageshree Gope, Ram Ayodhya Singh, Ram Naresh Singh, Dasarath Mahato and Kedarnath Lala.
2. Payment to coal loaders of compensatory allowance for pushing empty tubs to working faces.
3. Payment to loaders of minimum wage as per recommendation of the Conciliation Board whenever their earnings fall below this level.
4. Payment to stone cutters of No. 7 pit of full wages from 23rd April 1951 to 30th April 1951.”

2. The notification of the Government referring the above dispute was received by this Tribunal on 23rd July, 1951, and the usual notices were issued on 25th July, 1951, to the parties to the dispute. On 1st October 1951, the Union submitted its statement of claim and the statement of the management in reply was received on 31st October 1951. The first date of hearing was fixed on 21st January 1952. At the request of the Union representative Shri Desai the case was postponed to 29th January, 1952, on which date the hearing began. On 29th and 30th some witnesses were examined by the parties which will be referred to as occasion arises. Some documents were admitted as exhibits by this Tribunal. The hearing was completed on 30th January 1952.

### ISSUE No. 1

Reinstatement of Gulab Rout, Baleshwar Pandey, Debnarayan Gope, Ramnarayan Pandey, Siddeshwar Singh, Rabilal Bahadur, Jageshree Gope, Ram Ayodhya Singh, Ram Naresh Singh, Dasarath Mahato and Kedarnath Lala.

3. Of these eleven persons, Baleshwar Pandey is dead. The cases of Rabilal Bahadur, Jageshree Gope, Ram Naresh Singh and Kedarnath Lala were not pressed by the Union. Of the remaining six cases, the cases of Gulab Rout and Debnarayan Gope may be taken together. The cases of Ramnarayan Pandey and Siddeshwar Singh may be taken together. The cases of Ram Ayodhya Singh and Dasarath Mahato may be taken together.

4. The case of the Union is that Gulab Rout and Debnarayan Gope were serving till the date of their dismissal namely 8th July 1950, as depot in charge for 13 years and 6 years respectively. The Union further submits that although the notice of discharge said that there were complaints against them about bad loading no previous warning or charge sheet was issued to either of them nor was any

opportunity given to them to submit their explanations. The charge was accompanied by a notice of discharge and it merely said that their posts were abolished because there were complaints against them. They further say that one Suba Singh has been taken in their places and he has been designated as a loading supervisor. That the discharge of Debnarayan Gope, and Bulab Rout, is a case of victimisation and that both of them should be reinstated from the date of their discharge. In the course of the argument it was mentioned that punishment was too harsh even if it be a case of bad loading. Shri Desai referred to the award published in 1951, L.L.J., Vol. II, page 782 at page 785 where it was observed.

“that a past offence which has either been condoned or explained away cannot be made the ground for dismissal. Such a past misconduct can be taken into account in assessing the punishment only after the workman commits a new offence.”

On behalf of the management it was pointed out that of the two Debnarayan Gope, has accepted his discharge payment and therefore on certain authorities he was not entitled to claim reinstatement. It is further said that the case put forward by the Union with regard to these persons does not mention all the facts connected with them. That they being depot in charge they had to look to the proper loading of coal into wagons. They are also responsible for bad and defective loading. The management received various complaints Exs. 1-1(1), 1-1(2), and 1-1(3). These are letters dated 22nd February 1950, 19th March 1950, and 14th July 1950, from the managing agents. The post was abolished and the order of discharge was passed on 8th July 1950. It was not a case of dismissing them for misconduct or anything of the kind but on receiving these complaints readjustments had to be made in the work and so these posts were abolished. We find from the evidence of Mr. Buxton that originally there were one Hazree Babu, 3 depots in charge, and 5 loading munshis. Now by the readjustment there are only four left and the work is going on better. Mr. Buxton has stated on oath that on receipt of the complaints he warned these people and as they did not improve, he had passed the discharge orders. I do not see how a case of victimisation has been made out because Suba Singh, is known as depot supervisor. His basic pay is only Rs. 24 whereas the persons who were designated as depot in charge were drawing a basic salary of Rs. 30. I am afraid no case has been made out for reinstatement of these two persons.

4. Now coming to Ramnarayan Pandey, and Siddeshwar Singh, the complaint is that they were discharged on 31st October, 1950. That Ramnarayan Pandey, was working as Depot Munshi and Siddeshwar Singh was working as underground coal Munshi at the time of discharge. Ramnarayan Pandey, was in service for three years and Siddeshwar Singh, for seven years. According to the union's statement no charge sheet was issued to either of them nor was any reason made available to them as to the cause of their discharge. They were stopped from going to work from 31st October 1950. Therefore they say that their discharge is in contravention of the Standing Orders and against all rules of equity and natural justice and these men should be reinstated from the date of discharge.

5. The company on the other hand point out that the statement of the Union that no charge sheet was issued or that the discharge was a *malafide* one and was a kind of victimisation is not correct. As a matter of fact, for committing an assault within the colliery premises on 28th October 1950 charge sheets Nos. 340 and 341 were issued against Ramnarayan Pandey and Siddeshwar Singh respectively. These were not accepted by them and the copies of those charge-sheets were filed by the management as Annexure A and B and the originals of them were shown to the Tribunal. Mr. Buxton on oath proved the entry in the peon book Ex. 2(1) where the refusal by these two persons has been noted by one Bichu Babu. Mr. Buxton also proved Ex. B(1) dated, 31st October 1950, which is an order terminating the services of these two men and giving them one month's pay in lieu of notice. From charge sheet No. 340 and 341 it appears that the charges were that these persons had committed assault on the other persons in the colliery premises. In this connection reference may be made to Section 8 of Government of Bengal bye-laws for Coalmines under Section 32 of the Indian Mines Act 1923. (Act IV of 1923) This was adopted by the Government of Bihar vide letter No 138/VIII-M-1. Com Patna dated, 14th January, 1929. The evidence was that the charge sheet was submitted but they refused it. It is said that the charge sheet should have been sent by registered post. It may have been better but when there is evidence that the charge sheets were sent per bearer but not accepted it cannot be said that no charge sheet was sent. It will appear from the Ex. 1-1(12) that Siddeshwar Singh, was convicted under Section 323 of I.P.C. for an occurrence on 29th January 1951. By Ex. 1-1(13) both Ramnarayan Pandey and Siddeshwar Singh, were convicted under Section 323.



I.P.C. for an occurrence on 29th April 1951. They were also dealt with under Section 107 Cr. P.C. as per Ex. 1-1(15), dated 8th May, 1951. These judgments of the Criminal Courts show what type of men these two are. On the materials before me it is not a case in which their reinstatement can be ordered.

6. Coming now to the case of Ram Ayodhya Singh, and Dasarat Mahato, both of them were working as underground traffic in charge. The case of the Union is that they were served with notices of discharge on 30th April 1951. Ram Ayodhya Singh was working for the last 12 years and Dasarat Mahato for the last 7 years. The ground given in the notice of discharge was that owing to reduction in raising resulting from loss of working places, the post of traffic in charge was abolished. The complaint of the Union is that although the post was abolished some other persons junior to Ram Ayodhya Singh, and Dasarat Mahato, although discharged men were taken in by the management, for some job or other. The names of such persons are Ram Naresh Singh and P. K. Bhattacharji and two others who were taken in as munshis in stone drift on 4th May 1951. They suspect that it was due to some prejudice against Ram Ayodhya Singh and Dasarat Mahato that they were discharged.

7. The management on the other hand deny that their discharge was mala fide and they say that the posts of traffic in charge in which Ram Ayodhya Singh and Dasarat Mahato were working were abolished and the management served them with due notice and offered a month's wages in lieu of notice. The management further allege that Ram Ayodhya Singh has accepted a job in Tatas Bhelatand Colliery and did not seek for any employment in the collieries of the management. With regard to Ram Naresh Singh he was taken in as a Badli Attendance clerk as he sought re-employment. As regards P. K. Bhattacharji and others they say that they were appointed as stone cutting supervisors by the contractors. The management has nothing to do with their appointments. Shri Mukherjee appearing on behalf of the management has referred to Ex. 1-1(8). It was the notice served upon these two persons as well as Ram Naresh Singh. He also referred to Ex. 1-1(10) which is a letter from the East India Coal Co. Ltd., that one Ram Ayodhya Singh is working as a shot-firer in that colliery since 29th October 1951. With regard to Dasarat Mahato it is said that he has already accepted his pay vide Ex. 1-1(19) and therefore, relying upon certain authorities he says that after accepting notice pay workmen are stopped from reargitating for re-appointment. For this he relies chiefly upon the decision published in Vol. II, 1950, L.L.J., page 483 at page 484; Vol. II, L.L.J. 1950, page 1329; and 1951, L.L.J. Vol. I page 94. He said that even in case of wrongful dismissal in the decision published in L.L.J., 1952, Vol. I, page 6, reinstatement has not been ordered. Looking at the oral and documentary evidence adduced in this case I find that the discharge of Ram Ayodhya Singh and Dasarat Mahato without offering them any alternative jobs as was done in the case of Ram Naresh Singh was not quite proper. The question is whether they should be ordered to be reinstated or ends of justice will be met by allowing them gratuity. Inasmuch as the post of underground traffic in charge has been abolished it is difficult for this Tribunal to order that those posts should be revived and then these two persons should be put in charge of these posts. But considering their length of service and there being nothing against them so far as their conduct was concerned, I think one month's notice pay is rather too little. They are entitled to gratuity and I therefore relying upon the observations made in the Labour Appellate Tribunal decision reported at page 6 at page 11, L.L.J., Vol. I, 1952, I would order that they should be given gratuity. The gratuity should be three months pay with the usual allowances which they were getting immediately before the order of discharge.

8. If Dasarat Mahato has accepted one month's pay he is entitled to two month's pay as gratuity with the usual allowances. I am not very much impressed by the arguments based on the theory of estoppel. It depends really upon the nature and the circumstances under which the payment is received. In Ex. 1-1(9) there is a bill made for Rs. 197-13-0 and on the back of that bill I find only the signature of Dasarat Mahato for having received the amount. That does not say that they are not going to raise the question of reinstatement. On this state of affairs I am very much inclined to agree with the case published in Vol. I, 1951, L.L.J., page 498 at page 501. The payments should be made within one month of the publication of this award.

#### ISSUE NO. 2

*Payment to coal loaders of compensatory allowance for pushing empty tubs to working faces.*

9. The case of the Union is that the work of coal loaders is to load coal into tubs which has already been cut and to load it into tubs at the place where it is

cut. Their rates are also fixed on that basis. The coal loaders are also asked to push empty tubs to the coal face where coal is cut from the place where these tubs are brought by haulage. The distance, from the place where the tubs are brought by haulage, and the coal face increases as the working faces recede further and further. This consumes a considerable amount of working time and calls for strenuous efforts on their part and they being piece-rated workers and not time rated, the earning capacity of the coal loaders decreases with the aforesaid distance. The Union therefore prays that a suitable rate of payment for this work of pushing empty tubs to the working faces be fixed varying with the nature of the terrain and the distance. They further say that this colliery was regularly paying extra remuneration for this work till the year 1949 but of late this has been stopped. They also pray that payment for this work may be made with retrospective effect.

10. The management on the other hand contend that the work of a coal loader as stated by the Union is not quite correct. That the coal loaders work is to receive the empty tubs from the trammers at or near their work places and then to distribute the empty tubs to the places where they are needed at their own convenience. The coal loaders are piece-rated workers and their rate is fixed after due consideration of nature of duty and work as stated above. That the rate was also accepted by coal loaders. They deny the statement that till the year 1949 coal loaders were regularly paid for this work of pushing tubs. Mr. J. J. T. Keegan was examined on behalf of the management. He has said that from the investigation of the company's books he found that on no occasion compensation was paid for pushing empty tubs. That so far as he knew no company paid any such compensation. He has given details of the distance which these empty tubs have to be pushed. In 12 seam centre the minimum is 5' and the maximum is 200' to 250 feet, and in 13 seam the minimum is the same but the maximum is about 300 feet. The loaded tubs are pushed by trammers and the empty ones are pushed by the loaders. Reliance has been placed by the management on Exhibits 1-2(17) to 1-2(20). Letter marked Ex. 1-2(18) is from the General Manager, Lodna Colliery, which says that no payment is made to coal loaders as compensatory allowance for pushing empty tubs to the working faces as this is part of their work and has always been done by them. Letter marked Ex. 1-2(19) is a letter from the East India Coal Co. Ltd., which says that in general they do not pay any compensatory allowance for pushing empty tubs to the working faces, unless the distance is unusually long and the gradient steep. The rate is considered on the prevailing circumstances which varies from 0-0-3 pies to -2/- annas nett. Ex. 1-2(20) is a letter from the Acting Superintendent of Collieries, Tata Iron and Steel Co. Ltd., Jamadoba. He says that they do not pay any compensatory allowance for pushing empty tubs to the working faces. Ex. 1-2(17) is a covering letter from the Senior Personnel Officer, Indian Mining Association.

11. No instance has been cited nor any evidence led by the Union on this point to show that coal loaders get compensatory allowance for pushing empty tubs. On the contrary the management has produced the above documents supported as they are by the statement of Mr. Keegan. Under the circumstances, I am afraid the award on this item will be that the Union has not made out a case for compensatory allowance to loaders for pushing empty tubs.

#### ISSUE NO. 3

*Payment to loaders of minimum wage as per recommendations of the conciliation Board whenever their earnings fall below this level.*

12. In the case of loaders a distinction has to be made between machine cut coal and pick cut coal loaders. The size of the tub is 36 c.ft. The machine cut coal loaders get As. 6 as basic and annas 9 as dearness allowance, the total being As. 15. The pick cut coal loaders get Rs. 1-14-0 which is made up of As. 12 as basic and Rs. 1-2-0 as dearness allowance. The complaint according to Shri Desai is not about the rates but he says that the loaders should get enough tubs to earn the minimum rate mentioned in the C.B. Award. If the management failed to supply enough tubs the minimum should be made up. The management on the other hand, point out that the coal loaders in the Gaslitand colliery are piece-rated workers and their earnings depend upon the amount of work they put in. They further submit that the C.B. Award has not recommended the rate of piece rated workers. In the course of the argument Mr. Mukherjee relied on Ex. 1-2(18) to 1-2(20). Ex. 1-2(18) is a letter from the Lodna Colliery to the effect that loaders do not get minimum wages when their earnings fall below a particular level. It is only in cases of break down of machinery that forced idleness payments are made. Ex. 1-2(19) is a letter from the East India Coal Co. Ltd., which says that no occasion has arisen to make up the minimum wages and Ex. 1-2(20) is a letter from the

Tata Iron and Steel Co. Ltd., Jamadoba in which they say they did not grant any minimum wages whenever their earnings fall below that level. They also note that the C.B. Award recommended the minimum wage for piece-rated workers for cutting and unloading coal. It did not recommend a guaranteed minimum wage. Shri Mukherjee has referred to Ex. 1-2(16) also which gives the amount that were paid to machine coal cut loaders or pick miners from June 1951 to December 1951. I am afraid that on the materials supplied by the management and in the absence of any proper materials to the contrary from the side of the Union, no award guaranteeing a minimum as claimed by the Union can be made. Para. 2, sub-para. 3 of C.B. Award may also be seen in this connection.

#### ISSUE No. 4

*Payment to stone cutters of No. 7 pit of full wages from 23rd April, 1951, to 30th April 1951.*

13. The first observation that I have to make is that although reference is with regard to the period from 23rd April 1951, to 30th April 1951, from the statement of the Union it appears that the old stone cutters lost their wages from 23rd April to 4th May 1951, as a result of their illegal discharge by the management. In this connection the management points out that they are not responsible for this loss of wages if any. The stone cutting work was done by contractors who appoint their own stone cutters and after the completion of the work entrusted to them and on the termination of the contract the contractor disbanded and dispensed with the services of the stone cutters engaged by him. They also point out that a new contractor was appointed for a fresh stone drift. The new contractor absorbed some of the stone cutters of the old contractor's men. As some trouble was apprehended the new contractor was prevailed upon to appoint the rest of the stone cutters of the old contractor. The management claims that they were not responsible for the loss of wages if any. The Union examined Shri Shiv Kumar Sharma, Vice-President of the Union on 30th January 1952. He in his statement says that although the stone cutting is and was done by a contractor the stone cutters were verbally retrenched by the Manager but not by the contractor. On 3rd May 1951 on account of the official intervention the management accepted the suggestion that the old stone cutters should be employed and it is for the period that they were sitting idle that the payment is claimed. From his statement it also appears that the contractor was one Saimon. Although Shri Sharma says that the company paid the stone cutters he does not know who pays them now. The old stone cutters were members of the Union. Although he has not seen the company's payment register for stone cutters he relied on the statement of the workers that they were appointed by the company. Chedi Mochi a workman was examined for the Union and he says that this was the first time that work was stopped in the stone drift although during the last four years he was in the service of the company. When the work re-started the cutters resumed their work. In cross-examination he said that Mr. Saimon was the contractor and the workers were working under him. It was Saimon who used to pay the wages. Mr. Keegan was examined by Shri Desai and he said that it was agreed by the new contractor Sahib Singh that he would engage the old contractors' stone cutters. He also said that the stone cutters were never paid by the company although he said that the old stone cutters were paid bonus. Mr. Buxton was examined and in his deposition he said that the labourers under the stone cutting contractors are the contractors' employees and that he himself did not serve notice of dismissal on them, nor is he responsible for non-payment for the period mentioned in the reference.

I am afraid the Union has not been able to make out a case from which it can be gathered that these stone cutters employment and payment was done by the management. I see no reason to disbelieve the witnesses who have been examined by the employers namely Mr. Buxton and Mr. Keegan supported as they are to a certain extent by the cross examination of the witnesses, examined on behalf of the Union. No award can be passed in favour of the Union on this item.

I therefore give my award in terms aforesaid, this the 6th day of February, 1952.

S. P. VARMA, *Chairman,*

Central Governments Industrial Tribunal, Dhanbad.

DHANBAD;

Dated, the 6th February, 1952.

New Delhi, the 25th February 1952

**S.R.O. 371.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal in the dispute between certain employers and their workmen in the Port of Cochin.

### AWARD

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

*Friday, the eighth day of February, 1952.*

Present:—Shri T. S. Viswanatha Iyer, B.A., M.L., Industrial Tribunal at Madurai.  
*Industrial Dispute No. 18 (Central) of 1951*

### BETWEEN

The Cochin Thuramukha Thozhilali Union, Cochin Port, Cochin, represented by Shri P. Balagangadhara Menon, Advocate, Ernakulam.—PETITIONERS.

And

1. P. B. Abdulrahiman Kutty, Cochin.
2. P. A. Abdulrahiman Kutty, Cochin.
3. Tejpal Liladhar, Mattancherry.
4. Messrs. C. V. A. Hydross & Sons, Mattancherry.
5. Messrs. Poovath Paree & Sons, Calvetty, Cochin.
6. Mr. J. W. D. 'Cruz & Sons, Cochin.
7. Mr. W. H. D. 'Cruz, Cochin.
8. Mr. B. Paul Abrao, Cochin
9. The General Traders Ltd., Cochin.
10. Messrs. E. M. Andrew & Bros., Fort Cochin.
11. M/s Sorabji & Co., Mattancherry.
12. M/s K. B. Jacob & Sons, Cochin.
13. Mr. A. M. Hamsa, Calvetty, Cochin.
14. Mrs. Abdulla Oomer Sait, "Oomer Manzil", Kurumplavu Road, Fort Cochin.
15. M/s Darabshaw B. Cursetjee's Sons, Willingdon Island.
16. M/s South India Corporation Ltd., Willingdon Island.
17. Mr. S. M. Soopukutty.
18. Mr. C. M. Bava, Mattancherry.
19. The Cochin Pilot Stores, Ellwood House, Ridsdale Road, Cochin.
20. The Mercantile Marine Supply Agency, Fort Cochin.
21. Mr. A. Lopez, Sea View, Vypeen, Fort Cochin.
22. M/s Majeed and Kader.—RESPONDENTS.

Respondents 1, 17, 18, 19 and 21 are absent—*exparte*.

The other respondents are represented by Shri M. S. Menon, Bar-at-Law and G. B. Pai, M.A., B.L., Advocate, Ernakulam.

### THE SECOND INTERIM AWARD

By L.R. 2(345), dated 19th July, 1951, the Government of India in the Ministry of Labour, have referred to me for adjudication forty five points of dispute between certain employers at Port Cochin and their workmen.

2. The points of dispute set out in the schedule to the order of the Government of India are:—

1. Recognition of the Cochin Thuramukha Thozhilali Union.
2. Abolition of Contract labour in all sections.
3. Security of employment to all workers and adoption of Muster Roll System.
4. Payment of unemployment allowance to workmen.
5. Payment of pension or gratuity to disabled or incapacitated worker with 20 year of service.

*Workers on board Steamers (Stevedore Labour)*

1. Fixation of number of workmen per gang.
2. Interval to be allowed in a ship.
3. Fixation of wages of stevedoring workers for day and night shifts.
4. Overtime pay.
5. Two shifts for day and night.
6. Payment of full wages even if work is completed before specified time in each shift.
7. Providing one meal for every worker.
8. Payment of wages within 24 hours after completion of every job.
9. Provision of special jetty for transport of workers.
10. Working of only one sling per hook.
11. Working of only one gang for one shift.
12. Payment of Wages at half the rates in case steamers do not arrive in time after waiting for the same and payment of wages at full rates if workmen are not engaged after the issue of tokens.
13. Grant to workmen engaged in coal handling, bulk cargo filling painters and stitchers of the same benefits as are given to those on board.
14. Grant of extra wages for handling dangerous cargo and provision of special equipment where necessary.

*Lighters*

1. Revision of existing wage schedule.
2. Annual revision of wage schedule with the concurrence of the union and in accordance with the changes in the cost of living.
3. Payment of a portion of the total rental and demurrage charges to workmen.
4. Payment of a special pay of Rs. 30 to Serang of the lighters by the boat owner.
5. Owner of cargo to bear jetty and other tolls.
6. Provision for convenient pathways for boatmen to go out when loaded lighters lie at jetties during nights.
7. Repairs to jetties. Provision for water taps and lights in jetties.
8. Provision for work for all members of the crew of lighters whenever a lighter is engaged.
9. Provision for hand cranes to all the jetties of the godowns.
10. Payment of weekly wages to lighters.
11. Treatment of serangs and lighter men as permanent employees and payment of all unpaid wages and bonus due to them from 1947 onwards.
12. Provision of special protective equipment for handling dangerous articles.
13. Payment of batta, per worker per hour after a prescribed period after lighter is engaged.
14. Overtime pay.
15. Wages for work during monsoons.
16. Payment at Rs. 20 a day per lighter for workers detained in lighters awaiting loading or unloading of cargo alongside steamers.
17. Payment according to tonnage capacity of lighter.

*Head Load*

1. Fixation of basic wages to all workers.
2. Payment of day's wages to the man showing samples in godowns.
3. Ban on workers carrying upstairs any article weighing more than 50 lbs.
4. Wage rates for handling medicine bundles, packages consisting of two gunnies or boxes, bone meal etc.
5. Wages for those who keep watch over the cargo.
6. Abolition of use of wooden planks for transporting cargo.
7. Wages for weighing, numbering, filling and stitching of bags.

8. Stacks not to be made higher than 15 bags in a godown.

9. Distribution of unemployment dole.

3. In pursuance of notices issued in the usual course, the Secretary of the Cochin Thuramukha Thozhilali Union, Cochin Port, Cochin filed statement of demands, while seventeen stevedores of labour filed their reply statement. Five stevedores of labour did not file any reply statement; nor did they appear at any of the hearings.

4. To-day when the matter came up for further enquiry, the parties reported settlement of the seventeen items of dispute set out above in paragraph 2 under the heading, "Lighters".

5. The evidence of W.W. 1 who is the Secretary of the Cochin Thuramukha Thozhilali Union shows that out of the 23 respondents, Tejpal Liladhar; C. V. A. Hydross & Son; B. Pal Abrao; A. M. Hamsa; Mrs. Abdulla Omer Salt; and the South Indian Corporation Ltd., alone own cargo boats. Some others who are not respondents also own cargo boats. All the owners of cargo boats are members of the Cargo Boat Owners' Association of Cochin.

6. The compromise arrived at has been signed by W.W. 1 who is the Secretary of the Cochin Thuramukha Thozhilali Union and by W.W. 2 who is the Secretary of the Cargo Boat Owners' Association of Cochin. A petition has been filed, signed by the Secretary of the Union and by the six respondents who own cargo boats for passing an award in terms of that compromise. The matter has been deposed to by W.Ws. 1 and 2. That petition has been ordered to-day as prayed for.

7. The terms of the compromise are:—

**"MEMORANDUM OF SETTLEMENT ARRIVED AT BETWEEN THE BOATOWNERS AND THE BOAT CREW AT THE PORT OF COCHIN.**

1. The Crew shall be given an increase of 33½ per cent. in their present share of the Boat Hire Rates, for example, the existing rate of Rs. 6-0-0 per 100 bags of rice, not exceeding 180 lbs. each, shall be increased to Rs. 8-0-0.

2. The Crew shall continue to get as at present a detention charge of Rs. 2-0-0 per head for work beyond the first 24 hours and within the first 48 hours.

3. The Crew shall also continue to get demurrage charges as at present for work beyond the first 48 hours.

4. The present night overtime remuneration for the first night shall continue to be paid to the Crew (whether working or not working), "night" being reckoned as from 6 P.M. to 6 A.M.

5. The Tindals shall be paid by the Boatowners a Tindal's Allowance of one anna per rupee of the enhanced Crews' share of the Boat Hire Rates.

6. The Crew shall be registered in the same manner as the Stevedore Labour Under the Award of the Industrial Tribunal (Central), Madurai, dated the 18th December 1951, the Committee entitled to make the recommendations in respect of the Crew being the Committee specified hereunder in clause 12.

7. Payments shall be made on a tentative basis within 24 hours of the completion of each trip and the accounts shall be settled immediately on receipt of the shipping documents.

8. The Crew shall keep pace with the Stevedoring work whether they are working alongside the wharves or a ship in stream.

9. This settlement shall come into operation on and from the date the Port Administration approves the increase of 50 per cent. in the present Boat Hire Rates that is being suggested by the Cochin and Indian Chambers of Commerce.

10. The Boatowners and the Crew who are parties to the Industrial Dispute No. 18 (Central) of 1951 shall file a copy of this settlement before the Industrial Tribunal (Central), Madurai, as its next sitting and pray for an Award according to the terms herein contained.

11. This settlement shall remain in force as long as the Award mentioned in clause 10 above continues to be operative.

12. A Committee consisting of one representative each of the Crew, the Boat-owners and the Port shall be constituted and it shall be the duty of that Committee to bring about the settlement of all disputes that may arise from time to time.

13. All doubts and difficulties in implementing the terms of this Memorandum of Settlement and all disputes that the Committee hereinbefore mentioned is not able to settle shall be referred to the decision of the Administrative Officer for the time being of the Port of Cochin and his decision shall be final and binding on both the parties.

14. In construing this Memorandum of Settlement the term Crew shall be deemed to include the Tindal of the Vessel concerned.

Dated this the 7th day of February, 1952."

8. There will be an Interim Award in the terms of the compromise set out above.

Dated at the Ernakulam Camp, this the 8th day of February 1952.

T. S. VISWANATHA IYER.

Industrial Tribunal at Madurai.

[No. LR-2(345).]

*New Delhi, the 26th February 1952*

**S.R.O. 372.**—In exercise of the powers conferred by clause (1) of article 258 of the Constitution and in supersession of the notification of the Government of India in the late Department of Labour No. L-3006, dated the 16th January, 1941, the President hereby entrusts with effect from 1st March 1952, to the Government of each Part A State, except the Government of Orissa and to the Government of each Part B State, except the Government of Jammu and Kashmir, with their consent, the functions of the Central Government under the Indian Trade Unions, Act, 1926 (XVI of 1926), in relation to trade unions whose objects are not confined to, and whose head office is situated in, that State.

[No. LR-26(74).]

#### CORRIGENDUM

*New Delhi, the 26th February 1952*

**S.R.O. 373.**—In the Schedule to the Order of the Government of India in the Ministry of Labour No. S.R.O. 42, dated the 8th January, 1952, published at page 55 of the Gazette of India extraordinary, Part II, Section 3, dated the 8th January 1952 against serial No. 241 in column 2 for the name "V. Surendra Shenoi" read the name "U. Surendra Shenoi".

[No. LR-100(9).]

N. C. KUPPUSWAMI, Under Secy.

*New Delhi, the 21st February 1952*

**S.R.O. 374.**—In exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President hereby entrusts to the Government of Rajasthan, with their consent, the functions of the Central Government under the Minimum Wages Act, 1948 (XI of 1948), insofar as such functions relate to the fixation of minimum rates of wages payable to employees in mica mines and in stone and marble quarries situated in the State of Rajasthan and to the appointment of Claims Officers under section 20 of the said Act to hear and decide all claims arising out of payment of less than the minimum rates of wages to the said employees.

[No. LWI-24(87).]

*New Delhi, the 23rd February 1952*

**S.R.O. 375.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with clause (iii) of sub-section (1) of section 4 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government hereby fixes the minimum rates of wages payable to the classes of employees specified in the Schedule annexed hereto and employed in the Central Public Works Department, the same having been previously published as required by clause (b) of sub-section (1) of section 5 of the said Act.

2. The aforesaid minimum rates of wages shall take effect from the date of this notification.

SCHEDULE  
CENTRAL PUBLIC WORKS DEPARTMENT CONTRACT LABOUR

Serial No.	Category of employees	Bombay Santa Cruz Per day	Ahmedabad Per day	Nagpur Per day	Jubbulpur Per day	Bihar Per day	West Bengal Per day	Delhi Per day	Ajmer Per day	Madras Per day	Tinnevely Per day
1	Bandhani	3 0 0	3 0 0	2 8 0	2 0 0	2 0 0	2 0 0	3 0 0	3 0 0	2 0 0	2 0 0
2	Blacksmith 1st Class	4 0 0	4 0 0	3 8 0	3 0 0	3 0 0	4 0 0	5 0 0	4 0 0	3 0 0	3 0 0
3	Blacksmith 2nd Class	2 12 0	2 12 0	2 8 0	2 8 0	2 8 0	3 8 0	4 0 0	3 0 0	2 0 0	2 8 0
4	Brick Moulder.	2 8 0	2 8 0	2 8 0	2 0 0	2 0 0	2 0 0	2 8 0	2 8 0	2 0 0	2 0 0
5	Cane Man.	3 0 0	3 0 0	2 8 0	2 8 0	2 8 0	2 8 0	3 0 0	2 8 0	2 8 0	2 8 0
6	Carpenter 1st Class.	4 0 0	4 0 0	3 0 0	3 0 0	4 0 0	4 0 0	5 0 0	4 0 0	3 0 0	3 0 0
7	Carpenter 2nd Class.	2 12 0	2 12 0	2 8 0	2 8 0	3 8 0	3 8 0	4 0 0	3 0 0	2 0 0	2 8 0
8	Chowkidar.	2 2 0	2 2 0	1 8 0	1 8 0	1 12 0	1 12 0	1 12 0	1 8 0	1 8 0	1 8 0
9	Fitter 1st Class.	4 0 0	4 0 0	3 8 0	3 0 0	4 0 0	5 0 0	5 0 0	4 0 0	3 0 0	3 0 0
10	Fitter 2nd Class.	2 12 0	2 12 0	2 8 0	2 8 0	3 8 0	3 8 0	3 8 0	2 8 0	2 8 0	2 8 0
11	Glazier.	2 8 0	2 8 0	2 8 0	2 0 0	3 0 0	3 0 0	4 0 0	3 0 0	2 8 0	2 8 0
12	Mason 1st Class.	4 0 0	4 0 0	4 0 0	2 8 0	4 0 0	4 8 0	5 0 0	3 8 0	3 0 0	3 0 0
13	Mason 2nd Class.	2 12 0	2 12 0	2 8 0	2 0 0	3 8 0	3 4 0	4 0 0	2 8 0	2 8 0	2 8 0
14	Stone Cutter 1st Class.	4 0 0	4 0 0	4 8 0	3 0 0	4 0 0	5 0 0	5 0 0	4 0 0	3 0 0	3 0 0
15	Stone Cutter 2nd Class.	2 12 0	2 12 0	3 8 0	2 8 0	3 8 0	4 8 0	4 0 0	3 0 0	2 8 0	2 8 0
16	Mate.	2 8 0	2 8 0	1 6 0	1 2 0	3 0 0	2 8 0	2 4 0	1 8 0	1 10 0	1 12 0
17	Mistry.	4 0 0	4 0 0	4 8 0	3 0 0	4 0 0	4 0 0	4 8 0	3 0 0	3 8 0	3 8 0
18	Painter.	2 8 0	2 8 0	2 8 0	2 0 0	3 0 0	3 8 0	4 0 0	3 0 0	2 8 0	3 0 0
19	Spray Man (for roads).	2 8 0	2 8 0	2 0 0	1 8 0	1 12 0	2 4 0	3 0 0	2 0 0	1 12 0	1 12 0
20	Thatcher.	2 12 0	2 12 0	1 12 0	2 0 0	2 0 0	2 12 0	2 12 0	2 0 0	2 0 0	1 12 0
21	Rocking Cutting Labour Excavator, Crackers, Drillers etc.	2 12 0	2 12 0	2 0 0	2 0 0	2 0 0	2 4 0	2 12 0	1 12 0	1 8 0	1 12 0
22	Bullock Cart double.	9 0 0	9 0 0	9 0 0	8 0 0	9 0 0	10 0 0	12 0 0	7 0 0	5 8 0	5 8 0
23	Bullock Cart single.	6 4 0	6 4 0	6 0 0	5 8 0	6 0 0	7 0 0	8 0 0	5 0 0	4 0 0	4 0 0



*New Delhi, the 26th February 1952*

**S.R.O. 376.**—The following draft of a further amendment to the Minimum Wages (Central Advisory Board) Rules, 1949, which it is proposed to make in exercise of the powers conferred by section 29 of the Minimum Wages Act, 1948 (XI of 1948), is published as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken up for consideration on or after the 5th May 1952.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

*Draft Amendment*

For rule 8 of the said Rules, the following rule shall be substituted, namely:—

"8. *Meetings.*—The Chairman may, whenever he thinks fit and shall within fifteen days of the receipt of a requisition in writing from not less than one-half of the members, call a meeting of the Board".

[No. LWI-24(98).]

**S.R.O. 377.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Indian Mines Act, 1923 (IV of 1923), the Central Government hereby appoints the undermentioned duly qualified persons who immediately before the issue of this notification were known under the designations shown against their respective names, to be Inspectors of Mines subordinate to the Chief Inspector of Mines:—

- (1) Shri R. L. Agrawal—Chief Inspector of Mines, Rajasthan.
- (2) Shri S. R. Prasad—Additional Inspector of Mines, Mysore.
- (3) Shri M. Subramanyam—Assistant Inspector of Mines, Mysore.

[No. M41(3) 52.]

P. N. SHARMA, Under Secy.

*New Delhi, the 22nd February 1952*

**S.R.O. 378.**—In exercise of the powers conferred by sub-section (2), (3) and (4) of section 26 read with section 24 of the Payment of Wages Act, 1936 (IV of 1936), the Central Government proposes to rescind the Payment of Wages (Federal Railways) Rules, 1938 as applied to Berar, published with the notification of the Government of India in the late Department of Labour No. L.3070(2), dated the 5th May, 1938.

Notice is hereby given that any objection or suggestion which may be received by the Central Government on or before the 1st June, 1952, will be considered by the Central Government.

[No. FAC.49(9).]

S. NEELAKANTAM, Dy. Secy.

*New Delhi, the 25th February 1952*

**S.R.O. 379.**—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (XIV of 1947), and in supersession of the notifications of the Government of India in the Ministry of Labour No. LR. 1(121), dated the 19th April 1950, No. LR. 85(231)I, dated the 7th June 1950 and No. LR. 1(103)-I, dated the 1st October 1951, the Central Government hereby appoints each of the officers mentioned in column I of the Table annexed hereto as a conciliation officer for—

- (i) all industries carried on by or under the authority of Central Government;
- (ii) all Railways;
- (iii) all mines, oil-fields and major ports; and
- (iv) all banking and insurance companies.

in the area specified in the corresponding entries in column 2 of the said Table.

## THE TABLE

Designation of Officer (1)	Territorial Jurisdiction (2)
1. Chief Labour Commissioner (Central)	Whole of India except the State of Jammu and Kashmir.
2. Regional Labour Commissioner (Central), Ajmer.	The States of Punjab, Patiala and East Punjab States Union, Ajmer, Rajasthan and Madhya Bharat.
3. Regional Labour Commissioner (Central), Kanpur.	The States of Uttar Pradesh and Delhi.
4. Regional Labour Commissioner (Central), Calcutta.	The States of West Bengal (excluding coal-mines) and Assam.
5. Regional Labour Commissioner (Central), Dhanbad.	The States of Bihar, West Bengal (coal-mines only), Orissa and Vindhya Pradesh.
6. Regional Labour Commissioner (Central), Nagpur.	The States of Madhya Pradesh and Hyderabad.
7. Regional Labour Commissioner (Central), Bombay.	The States of Bombay, Saurashtra and Kutch.
8. Regional Labour Commissioner (Central), Madras.	The States of Madras, Mysore, Travancore-Cochin and Coorg.
9. Conciliation Officer (Central), Ajmer	The States of Punjab, Madhya Bharat, Rajasthan, Himachal Pradesh, Ajmer and Patiala and East Punjab States Union.
10. Conciliation Officer (Central), Kanpur	The districts of Tehri Garwal, Garhwal Almora, Nanital, Pilibhit, Shahjahanpur, Kheri, Unao, Kanpur, Jalaun, Manipur, Etawah, Farrukhabad, Hardoi, Sitapur, Agra, Etah, Mathura, Aligarh, Budaun, Bareilly, Rampur, Bulandshahr, Meerut, Muzaffarnagar, Saharanpur, Dehra-Dun, Bijnor, Moradabad, Jhansi and Lucknow in the State of Uttar Pradesh.
11. Conciliation Officer (Central), Allahabad.	The districts of Fatehpur, Rae-Bareilly, Sultanpur, Fyzabad, Buxi, Allahabad, Partabgarh, Jaunpur, Azamgarh, Gorakhpur, Mirzapur, Benares, Gahazipur, Ballia, Deoria, Banda, Hamirpur, Gonda, Bara-Banki and Beraich in the State of Uttar Pradesh.
12. Conciliation Officer (Central), Dhanbad	The districts of Manbhum, Hazaribagh, Ranchi, Palamau and Gaya in the State of Bihar.
13. Conciliation Officer (Central), Asansol	The districts of Singhbhum, Santhal Parganas in the State of Bihar and the State of West Bengal (in respect of coal-mines only).
14. Conciliation Officer (Central), Patna	The districts of Patna, Monghyr, Purnea, Bhagalpur, Muzaffarpur, Saran, Champaran, Shahbad and Dharbanga in the State of Bihar and the State of Vindhya Pradesh.
15. Conciliation Officer (Central), Cuttack	The State of Orissa.
16. Conciliation Officer (Central), Calcutta-I	The State of West Bengal.
17. Conciliation Officer (Central), Calcutta-II	The State of West Bengal.
18. Conciliation Officer (Central), Gauhati	The States of Assam, Manipur and Tripura.

(1)	(2)
19. Conciliation Officer (Central), Madras	The districts of Madras, Nellore, Guntur, Chingleput, Krishna, Godavari (East and West), Vizagapatam, North and South Chittoor, Cuddapah, Kurnool, Bellary and Anantpur in the States of Madras and the States of Coorg and Mysore.
20. Conciliation Officer (Central), Madurai	The districts of North and South Arcot, Tanjore, Trichinopoly, Madurai, Ramnad, Tinnevely, Salem, Coimbatore, Nilgiris, Malabar and South Kanara, in the State of Madras and the State of Travancore-Cochin.
21. Conciliation Officer (Central), Bombay	The districts of Ahmednagar, Thana, Kolaba, Nasik, East and West Khandesh, Surat, Rajpipla and the City of Bombay in the State of Bombay.
22. Conciliation Officer (Central), Poona	The districts of Poona, Ratnagiri, Sholapur, Belagun, Satara, Bijapur, Dharwar and Kanara in the State of Bombay.
23. Conciliation Officer (Central), Rajkot	The States of Saurashtra and Kutch and the districts of Ahmedabad, Broach and Panch Mahals, Kaira, Palanpur, Sabar Kantha, Danta, Idar, Mejsana, Radhanpur, Baroda and Sirohi in the State of Bombay.
24. Conciliation Officer (Central), Secunderabad.	The State of Hyderabad.
25. Conciliation Officer (Central), Nagpur	The States of Madhya Pradesh and Bhopal.

[No. LR.1(201).]

**S.R.O. 380.**—In pursuance of sub-section (3) of section 22 of the Industrial Disputes Act, 1947 (XIV of 1947), and in supersession of the notifications of the Government of India in the Ministry of Labour No. LR.1(13), dated the 26th May 1949, No. LR. 85(231)/II, dated the 7th June 1950, and No. LR. 1(103)II, dated the 8th October 1951, the Central Government hereby specifies each of the officers mentioned in column 1 of the Table hereto annexed in respect of the area mentioned in the corresponding entry in column 2 thereof as the authority to whom intimation by the employer of any lockout or strike referred to in the said sub-section shall be sent.

Designation of Officer  
(1)

Territorial Jurisdiction  
(2)

- |   |  |
|---|--|
| 1. Conciliation Officer (Central), Kanpur | The districts of Tehri Garwal, Garhwal, Almora, Nanital, Pilibhit, Shahjahanpur, Kheri, Unao, Kanpur, Jalaun, Manipur, Etawah, Farrukhabad, Hardoi, Sitapur, Agra, Etah, Mathura, Aligarh, Bundsum, Bareilly, Rampur, Bulandshahr, Meerut, Muzaffarnagar, Shaharanpur, Dehra-Dun, Bijnor, Moradabad, Jhansi and Lucknow in the State of Uttar Pradesh. |
|---|--|

(1)

(2)

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- |  |  |
|--|--|
| 2. Conciliation Officer (Central), Allahabad     | The districts of Fatehpur, Rae-Bareilly, Sultanpur, Fyzabad, Basti, Allahabad, Partabgarh, Jaunpur, Azamgarh, Gorakhpur, Mirzapur, Banaras, Ghazipur, Ballia, Deoria, Banda, Hamirpur, Gonda, Barabanki and Baraich in the State of Uttar Pradesh. |
| 3. Conciliation Officer (Central), Asansol       | The districts of Singhbhum, Santhal Parganas in the State of Bihar and the State of West Bengal in respect of Coal-mine only.  |
| 4. Conciliation Officer (Central), Patna         | The districts of Patna, Monghyr, Purnea, Bhagalpur, Muzaffarpur, Saran, Champaran, Shahbad and Dharbanga the State of Bihar and the State of Vindhya Pradesh.  |
| 5. Conciliation Officer (Central), Cuttack       | The State of Orissa.   |
| 6. Conciliation Officer (Central), Calcutta-I    | The State of West Bengal.  |
| 7. Conciliation Officer (Central), Calcutta-II   | The State of West Bengal.  |
| 8. Conciliation Officer (Central), Gauhati       | The States of Assam, Manipur and Tripura.  |
| 9. Conciliation Officer (Central), Madras        | The districts of Madras, Nellore, Guntur Chingleput, Krishna, Godavari (East and West), Vizagapatam, North and South Chittoor, Cuddapah, Kurnool, Bellary and Anantpur in the State of Madras, and the States of Coorg and Mysore.                 |
| 10. Conciliation Officer (Central), Madurai      | The districts of North and South Arcot, Tanjore, Trichinopoly, Madurai, Ramanad, Tinnevely, Salem, Coimbatore, Nilgiris, Malabar and South Kanara in the State of Madras and the State of Travancore-Cochin.                                       |
| 11. Conciliation Officer (Central), Bombay       | The districts of Ahmednagar, Thana, Kolaba, Navik, East and West Khandesh, Surat, Rajpipla and the City of Bombay in the State of Bombay.  |
| 12. Conciliation Officer (Central), Poona        | The districts of Poona, Ratnagiri, Sholapur, Belgaum, Satara, Bijapur, Dharwar and Kanara in the State of Bombay.  |
| 13. Conciliation Officer (Central), Rajkot       | The States of Saurashtra and Kutch and the districts of Ahmedabad, Broach and Panch Mahals, Kaia, Palampur, Sabar Kantha, Danta, Idar, Mejsana, Radhanpur, Baroda and Sirohi in the State of Bombay.   |
| 14. Conciliation Officer (Central), Secunderabad | The State of Hyderabad.  |
| 15. Conciliation Officer (Central), Nagpur       | The States of Madhya Pradesh and Bhopal.   |
| 16. Conciliation Officer (Central), Ajmer        | The States of Punjab, Madhya Bharat, Rajasthan, Himachal Pradesh, Ajmer and Patiala and East Punjab States Union.  |
| 17. Conciliation Officer (Central), Dhanbad      | The districts of Manbhum, Hazaribagh, Ranchi, Palam and Gaya in the State of Bihar.  |
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New Delhi, the 26th February 1952

**S.R.O. 381.**—In pursuance of section 36 of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the annual report and the audited accounts of the Employees' State Insurance Corporation for the financial year 1950-51 are published for general information.

**EMPLOYEES' STATE INSURANCE CORPORATION**  
(MINISTRY OF LABOUR)

*Annual Report in respect of the activities of the Employees' State Insurance Corporation for the year 1950-51.*

The Director General has the honour to present a review of the work and activities of the Employees' State Insurance Corporation for the year ended 31st March, 1951.

2. During the year under review, the Central Government and the Officers of the Employees' State Insurance Corporation continued to be engaged on completion of all preliminary work in connection with the proposed implementation of the Scheme in Delhi and Kanpur till about the middle of 1950. In June 1950, however, a last minute objection was raised by certain employers in Kanpur that the implementation of the Employees' State Insurance Scheme in a few places without overall implementation all over India would be discriminatory as it will place the employers who were first affected by the Scheme, at a competitive handicap. The second-half of the year under review was practically occupied in evolving a way to overcome this obstacle.

3. *Standing Committee.*—During the period under review, the Standing Committee of the Corporation held one meeting in May, 1950, and considered *inter alia* the following matters:—

- (a) A programme for the implementation of the Employees' State Insurance Scheme by stages throughout the country covering about two-thirds of the factory workers in the country in the course of two years.
- (b) Final drafts of the Employees' State Insurance (General) Regulations, 1950, the Employees' State Insurance Corporation (Provident Fund) and (Staff) Regulations.
- (c) Banking arrangements with the Imperial Bank of India providing for opening and operation of accounts with the various branches of the Bank, custody and sale of contribution stamps and for the purchase, sale etc. of securities belonging to the Corporation.
- (d) Agreement under Section 58 of the Act with State Governments regarding nature and scale of medical treatment, and sharing of the costs thereof, etc.

4. *Corporation.*—During the period under report, the Corporation held one meeting in May, 1950, and the following matters among others were considered:—

- (a) Organisational set up of the Corporation;
- (b) Final drafts of the three sets of the Regulations recommended by the Standing Committee;
- (c) Principles to be adopted for granting exemptions under the Employees' State Insurance Act, 1948;
- (d) Alternative systems of medical treatment;
- (e) Agreement with State Governments as approved by the Standing Committee;
- (f) Setting up of the Employees' State Insurance Fund and the opening of the accounts of that fund with the Imperial Bank of India;
- (g) Adoption of the panel system for provision of medical care in Bombay State.

5. No meeting of the Medical Benefit Council was held during the period under review on account of the plans being uncertain.

6. *Accommodation for the Headquarters Office.*—The building at Plot No. 3, Colaba Causeway, Bombay, for the Headquarters Office was completed during the year and its purchase was effected late in the year. The Headquarters was, however, not moved to Bombay on account of the uncertainties of the immediate future plan and it continued to be in New Delhi throughout the year, the work being carried on in the limited accommodation made available by the Central Government.

7. *Act, Rules and Regulations.*—(i) *Enforcement of the Act.*—The provisions of Sections 44 and 45 and Chapter VII of the Act was brought into force in all Part 'A' States and certain Part 'C' States. All the provisions of Chapters I, II, III, VII, VIII and Sections 44 and 45 of the Act were also brought into force in the newly created Part 'C' States.

(ii) *Rules under Section 95 of the E.S.I. Act, 1948.*—The E.S.I. (Central) Rules, 1950, were promulgated by the Central Government.

(iii) *Rules under Section 96 of the Act.*—Model Rules relating to Employees' Insurance Courts and Medical Benefit framed by the Central Government, were forwarded to all the newly created Part 'C' States for publication and adoption.

Some of the State Governments to whom the Model Rules were sent earlier published their draft rules and a few adopted them finally.

(iv) *Regulations under Section 97 of the Act.*—During the year under review, the E.S.I. (General) Regulations, 1950, were finalised and published in the *Gazette of India*. The other two Regulations viz., E.S.I.C. (Staff) and (Provident Fund) Regulations were under examination by the Central Government.

8. *Financial and Accounts Arrangements.*—(i) *Requisite number of contribution stamps* in connection with the implementation of the Scheme in Delhi and Kanpur were printed and kept in the safe custody of the Security Printing Press, Nasik, pending their distribution for sale through the Imperial Bank of India at the proper time.

(ii) The Central Government approved the terms and conditions subject to which the Imperial Bank of India was prepared to undertake the banking work including the terms for the custody and sale of contribution stamps. Necessary accounts were accordingly opened with the Imperial Bank of India.

9. *Alternative Systems of Medicine.*—The Corporation decided in favour of the utilisation of the alternative systems of the medicine for providing medical benefit under the Scheme and the decision was communicated into the State Governments concerned for consideration.

10. *Panel System.*—The Corporation decided to adopt the panel system for the provision of medical care to insured workers in the Bombay State. The details are being worked out in consultation between the Corporation and the State Governments.

11. *Principal Officers.*—Dr. V. M. Albuquerque relinquished the post of Medical Commissioner in the Corporation with effect from the afternoon of the 15th September, 1950.

(ii) Shri K. A. Joseph, M.A., who was appointed as Chief Accounts Officer for a term of two years from the 1st April, 1949, was granted an extension of service for six months with effect from 1st April, 1951.

12. *Survey and Collection of Statistics.*—Collection of Statistics regarding the distribution of workers in different wage groups in Delhi and Kanpur were completed and various other surveys with a view to collecting information which were considered to be of use in connection with the implementation of the Scheme were conducted.

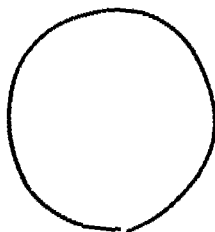
13. *Contact with the Employers and Employees.*—During the period under review, the Officers of the Regional Offices paid regular visits to different employers with a view to explain the aims and objects of the Scheme. Representatives of workers, employers and Trade Unions were also addressed at meetings. Training Courses for the representatives of employers were also organised to explain the Scheme and also the work they have to do in connection with the registration of workers and payment of contributions under the Scheme.

14. *Arrangements for the implementation of the Scheme.*—In accordance with the approved programme for implementation of the Scheme by stages, arrangements were proceeding apace for the implementation of the Scheme in Delhi and Kanpur, in the first instance, in July, 1950, when representations were received from the employers in Kanpur and the Government of Uttar Pradesh that the implementation of the Scheme in selected areas would react unfavourably on the employers in those areas. With a view mainly to meet these objections, a Bill to amend the E.S.I. Act, 1948, was introduced in the Parliament in March, 1951. The amending Bill provided for a special contribution from the employers all over the country in lieu of the employers' contribution due from the employers to whom all the provisions of the Act were applied, under the original Act. The employers in the areas where the Scheme is applied would have, however, to pay under the amending Bill, an additional contribution in view of the fact that the liability under Workmen's Compensation Act and the Maternity Benefit Act would be taken over in their case but not in the case of other employers. The Bill also applies the Act to Part 'B' States and improves the rate of Maternity Benefit. As the Bill was not passed during the year under review, the implementation of the Scheme had to be deferred.

15. Practically all the Local Offices and Dispensaries required to provide benefits under the Act in Delhi and Kanpur were ready during the year under review. The Local Offices started functioning to complete all preliminary work but the dispensaries remained to be staffed and equipped pending the passing of the amending Bill.

16. As the Scheme could not be implemented anywhere during the year under review, the expenditure of the Corporation continued to be met from loans taken from the Central Government.

(Common seal Employees' State Insurance Corporation.)



C. L. KATIAL,

Seal affixed in my presence.

NEW DELHI;  
The 28th January 1952.

C. L. KATIAL,  
Director General.

# EMPLOYEES' STATE INSURANCE CORPORATION

Income and Expenditure Account for the year ended 31-3-1951

## RECEIPTS

## A—ADMINISTRATION.

## EXPENDITURE

Head of Account	Amount	Head of Account	Amount
	Rs. As. P.		Rs. As. P.
By Grant-in-aid from Central Government . . . . .	2,92,067 11 0	To pay of Officers . . . . .	2,43,671 6 0
By Rent of Building . . . . .	484 9 0	To pay of Establishment . . . . .	2,46,409 0 0
By Miscellaneous Receipts . . . . .	706 5 0	To Travelling and Conveyance Allowances . . . . .	19,926 4 0
By excess of expenditure over income C/O to Balance sheet	7,79,749 5 0	To Dearness Allowance . . . . .	1,53,861 3 0
		To House Rent Allowance . . . . .	42,007 11 0
		To City Compensatory Allowance . . . . .	16,040 4 0
		To other allowances . . . . .	6,169 13 0
		To Cost of Furniture and General articles for office use . . . . .	51,896 14 0
		To Cost of Typewriters, Comptometers, Duplicators, Calculating machines etc. . . . .	19,064 13 6
		To Special equipment for records etc. . . . .	51,590 3 0
		To Cost of Cycles . . . . .	511 12 6
		To Expenditure connected with Adrema equipment for registration. . . . .	26,440 11 6
		To Repairs and maintenance of buildings, furniture, equipment etc. . . . .	860 8 9
		To Forms, Stationery and Printing . . . . .	44,697 5 6
		To Rent, Rates and Taxes . . . . .	40,106 7 3
		To Postage, Telegram and Telephone Charges . . . . .	20,455 6 3
		To Publicity and Advertisement charges . . . . .	1,017 0 0
		To Audit Fee . . . . .	900 0 0
		To Miscellaneous Charges . . . . .	16,118 14 3
		To Expenditure on Contribution Stamps . . . . .	6,485 2 0
		To General Charges . . . . .	64,717 2 6
TOTAL . . . . .	10,73,007 14 0	TOTAL . . . . .	10,73,007 14 0

Dated 29th May, 1951.

(Sd.) K. A. JOSEPH,

Chief Accounts Officer,

Employees' State Insurance Corporation.

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THE GAZETTE OF INDIA, MARCH 1, 1952 [PART II—SEC.



# EMPLOYEES' STATE INSURANCE CORPORATION

Balance Sheet as at 31st March, 1951

Liabilities				Assets			
	Rs.	As.	P.		Rs.	As.	P.
<b>Loans from Central Government.</b>				<b>Lands and Buildings</b>			
As per last Balance Sheet	15,83,616	1	0				8,74,283 7 8
Add loans received during the year	12,50,000	0	0	<b>Deposits—</b>			
	29,33,616	1	0	As per last Balance Sheet	1,11,739	9	6
				Add deposits during the year	8,69,397	7	9
Less repaid (as 2/3rd Grant of Administrative expenditure for 1948-49 and 1950)	2,92,067	11	0	Less received or adjusted during the year.	9,81,137	1	3
	26,41,548	6	0		8,71,862	2	8
<b>Employees' State Insurance Contributory Provident Fund (Compulsory Savings.)</b>				<b>Advances.</b>			
As per last Balance Sheet	1,100	4	0	As per last Balance Sheet	500	0	0
Add amount received for the year	17,672	12	0	Add advances during the year	9,153	2	0
	18,783	6	0				
<b>Security Deposits.</b>					9,653	2	0
Balance as per last Balance Sheet	209	9	0	Less Receipts or adjustments during the year.	8,405	2	0
Add Receipts for the year	3,680	0	9				1,250 0 0
	3,889	0	9	<b>Investments at Cost.</b>			
				As per last Balance Sheet	1,110	0	0
Less Paid	3,105	0	0	Add investments during the year	17,670	0	0
							18,780 0 0

Liabilities			Assets		
	Rs.	As. P.	Rs. As. P.	Rs.	As. P.
<i>Deductions from bills payable to other parties.</i>	54,035	3 0		<i>Loans to Employees for conveyance</i>	10,950 0 0
<i>Less Paid . . . . .</i>	53,682	14 0	352 5 0	<i>Less recovered . . . . .</i>	2,358 0 0
					8,592 0 0
				<i>Balance with Bankers</i>	4,31,447 7 9
				<i>Income and Expenditure Account.</i>	
				<i>Balance as per last Balance Sheet</i>	4,38,101 8 0
				<i>Add excess of expenditure over Income (as per Income &amp; Expenditure A/C).</i>	7,79,749 5 0
					12,17,850 13 0
<b>TOTAL</b>			<b>26,61,458 11 0</b>	<b>TOTAL</b>	<b>26,61,458 11 0</b>

Dated 29th May, 1951.

(Sd.) K. A. JOSEPH,  
Chief Accounts Officer,  
Employees' State Insurance Corporation.

Certified that, subject to the remarks in the audit report, this Balance Sheet is in my opinion a full and fair Balance Sheet containing all necessary particulars and properly drawn up and according to the best of my information and explanations given to me and as shown by the Books of the Corporation, it exhibits a true and correct view of the State of the Corporations' Affairs. Information and explanations required have been furnished by the officers of the Corporation and have been found satisfactory except to the extent mentioned in the Audit Report.

(COMMON SEAL,

Employees' State Insurance Corporation.)

Seal affixed in my presence.

C. L. KATIAL.

Director General.

NEW DELHI;

Dated 30th January, 1952.

(Sd.)  
Examiner,  
Outside Audit Department (C), Central Revenues.  
C. L. KATIAL,  
Director General.

[No. SS. 132(17).]

SADASHIVA PRASAD, Dy. Secy.